



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/807,215	03/22/2004	Patrick E. White	VE22.03D CON1	3300

32127 7590 03/19/2008
VERIZON
PATENT MANAGEMENT GROUP
1515 N. COURTHOUSE ROAD, SUITE 500
ARLINGTON, VA 22201-2909

EXAMINER

RIYAMI, ABDULLA A

ART UNIT	PAPER NUMBER
----------	--------------

2616

NOTIFICATION DATE	DELIVERY MODE
-------------------	---------------

03/19/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents@VERIZON.COM

Office Action Summary	Application No. 10/807,215	Applicant(s) WHITE ET AL.	
	Examiner ABDULLAH RIYAMI	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 33-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 33-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 6) <input type="checkbox"/> Other: _____ |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :03/06/2007,03/27/2007, 08/08/2007,08/16/2007,08/24/2007,09/04/2007, 09/14/2007,09/18/2007, 09/26/2007, 10/11/2007,10/12/2007, 11/21/2007, 01/10/2008,.

DETAILED ACTION

This is in response to an amendment/response filed on 12/19/2007. Claims 1-32 are cancelled. Claims 33-54 are new claims. Claims 33-54 are pending.

1. Applicant's arguments with respect to claims 1-32 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 33-54 are rejected under 35 U.S.C. 102(e) as being anticipated by Bartholomew et al. (US 6285745).

As per claim 33, Bartholomew et al. discloses a method comprising: detecting an off-hook condition of a calling station (see column 19, lines 59-63); subsequent to detecting the off-hook condition (see column 19, lines 59-63), receiving dialed digits from the calling station (see column 19, lines 59-63), the dialed digits indicating a call request and a telephone number of a called party (see column 19, lines 59-63); providing a request to a routing database, the request including

Art Unit: 2616

at least a portion of the telephone number of the called party (see column 20, lines 32-36); receiving in response to the request an identity of a gateway to the called part (see column 27); sending a first signaling message over a packet switched data network to the gateway using the identity of the gateway, the first signaling message including the telephone number of the called party and a telephone number of the calling station; receiving the first signaling message at the gateway; formulating an SS7 signaling message in response to the first signaling message, the SS7 signaling message including the telephone number of the calling station and the telephone number of the called party (see figure 8 and column 27-28); sending the SS7 signaling message from the gateway over a connection to a public switched telephone network (PSTN) system (see figure 8 and column 27-28); receiving at the gateway over the connection to the PSTN system an indication that the called party is at least one of busy or available (see figure 8 and column 24, lines 55-67); when the calling party is indicated busy, sending a second signaling message from the gateway over the packet-switched data network indicating the called party is busy (see figure 8 and column 24, lines 55-67); when the called party is indicated available, sending a third signaling message from the gateway over the packet-switched data network indicating the called party is available (see figure 8 and column 24, lines 55-67); recording billing information associated with the call request (see column 9, lines 18-30).

As per claim 34, Bartholomew et al. discloses a method comprising, wherein the dialed digits include a unique identifier indicating that the call request be routed over the packet-switched data network (see column 28, lines 5-15).

As per claim 35, Bartholomew et al. discloses a method comprising, wherein the unique identifier is one of a prefix code, an off-hook condition or a PIN number (column 19, lines 59-61).

As per claim 36, Bartholomew et al. discloses a method comprising, wherein the billing information is associated with the calling station (see column 9, lines 18-30).

As per claim 37, Bartholomew et al. discloses a method comprising, wherein the billing information includes billing on at least one of a flat rate basis or a timed basis (see column 9, lines 18-30)..

As per claim 38, Bartholomew et al. discloses a method comprising, wherein the packet switched network includes the internet (see figure 8).

As per claim 39, Bartholomew et al. discloses a method comprising, wherein the PSTN is part of a Local Exchange Cartier network (see figure 1-8).

As per claim 40, Bartholomew et al. discloses a method comprising, wherein the identity of the gateway includes an IP address of the gateway (column 27).

As per claim 41, Bartholomew et al. discloses a method comprising: subsequent to detecting the off-hook condition and prior to receiving dialed digits from the calling station, providing dial tone to the calling station (column 19, lines 59-61).

As per claim 42, Bartholomew et al. discloses a method comprising: receiving the request at an IP address database; translating the artiest a portion of the telephone

number of the called party into an IP address of the gateway; providing the IP address of the gateway to the called party as the identity of the gateway (see column 27-28).

As per claim 43, Bartholomew et al. discloses a method comprising: detecting an off-hook condition of a calling station (see column 19, lines 59-63); subsequent to detecting the off-hook condition, providing dial tone to the calling station (see column 19, lines 59-63); receiving dialed digits from the calling station (see column 19, lines 59-63), the dialed digits indicating a call request and a telephone number of a called party (see column 19, lines 59-63); providing a request to a routing database, the request including the telephone number of the called party (see column 20, lines 32-36); receiving in response to the request an address of a called party computing device associated with the telephone number of the called party (see column 20, lines 32-36 and column 27); sending a first signaling message over a packet-switched data network to the called party using the address of the called party computing device, the first signaling message including the telephone number of the called party and a telephone number of the calling station (see figure 8 and column 27-28); establishing a voice communication between the calling station and the called party via the packet-switched data network (see figure 8 and column 27-28).

As per claim 44, Bartholomew et al. discloses a method comprising: recording billing information associated with the call request (see column 9, lines 18-30).

As per claim 45, Bartholomew et al. discloses a method comprising, wherein the billing information is associated with the calling station (see column 9, lines 18-30).

As per claim 46, Bartholomew et al. discloses a method comprising, wherein the billing information includes billing on at least one of a flat rate basis or a timed basis (see column 9, lines 18-30).

As per claim 47, Bartholomew et al. discloses a method comprising, wherein the dialed digits include a unique identifier indicating that the call request be routed over the packet-switched data network (column 19, lines 59-61).

As per claim 48, Bartholomew et al. discloses a method comprising, wherein the unique identifier is one of a prefix code, an off-hook condition or a PIN number (column 19, lines 59-61).

As per claim 49, Bartholomew et al. discloses a method comprising, wherein the packet-switched network includes the internet (see figure 8).

As per claim 50, Bartholomew et al. discloses a method, wherein the address of the called party computing device includes an IP address (see figure 8).

As per claim 51, Bartholomew et al. discloses a method, wherein the routing database includes a Domain Name System (DNS) service (see figure 8 and column 27-28).

As per claim 52, Bartholomew et al. discloses a method comprising: receiving an indication that the called party is at least one of busy or available; when the calling party is indicated busy, sending a second signaling message over the packet-switched data network indicating the called party is busy; when the called party is indicated available, sending a third signaling message over the packet switched network indicating the called party is available (see figure 8 and column 27-29).

As per claim 53, Bartholomew et al. discloses a method comprising: receiving the request at the routing database; translating the at least a portion of the telephone number of the called party into an IP address of the called party computing device; providing the IP address of the called party computing device as the address of the called party computing device (see figure 8 and column 27-29).

As per claim 54, Bartholomew et al. discloses a method comprising: establishing a voice communication between the calling station and the called party via the packet-switched data. Network (see figure 8).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See form 892.
4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 2616

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ABDULLAH RIYAMI whose telephone number is (571)270-3119. The examiner can normally be reached on Monday through Thursday 8am-5pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Firmin Backer can be reached on (571)272-6703. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Abdullah Riyami/
Examiner, Art Unit 2616

/FIRMIN BACKER/
Supervisory Patent Examiner, Art Unit 2616